

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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**PRECIOUS FULLER,**

**CASE NO.:**

**Plaintiff**

**HON.:**

**Vs.**

**HAMILTON CLINIC,**

**Defendant.**

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**LAW OFFICE OF NEAL J. WILENSKY**

**NEAL J. WILENSKY (P35182)**

Attorney for Plaintiff

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**COMPLAINT AND DEMAND FOR JURY TRIAL**

**NOW COMES**, the Plaintiff, Precious Fuller, by and through her attorney, Neal J. Wilensky and for his Complaint and Demand for Jury Trial states the following:

1. Plaintiff is a resident of the County of Genesee and State of Michigan.

2. Defendant Hamilton Clinic is a federally funded clinic doing business in several counties in the State of Michigan, including the County of Genesee.
3. That the amount in controversy exceeds One Hundred Thousand (\$100,000) Dollars.
4. That jurisdiction is proper because the claim is being brought under the Federal Tort Act, USC § 2671-2680.
5. At all time relevant hereto Laurie Fuller is next of friend and mother of Precious Fuller, a minor, born 07/10/08.
6. On July 8, 2014 Precious Fuller had an appointment with her pediatrician Dr. Kahn.
7. While Precious Fuller and her mother were waiting for Dr. Kahn in the waiting room Precious Fuller had been crawling on the floor.
8. That this was noticed by a psychiatrist, Dr. Williams, who was not the regular treating physician for the minor child and who had not performed a psychiatric assessment on Precious Fuller but merely observed her crawling on the floor.

9. In response to this brief observation, Dr. Williams prescribed what was supposed to be Ritalin and mistakenly wrote it for Adderall.
10. Dr. Williams prescribed Adderall for Precious Fuller when Adderall is supposed to be used for adults with ADD.
11. The prescription was made even though crawling on the floor could be considered normal six year old behavior.
12. Precious Fuller ingested the Adderrall between July 8, 2014 and July 19, 2014.
13. On July 19, 2014 Precious Fuller became very physical hitting her mother, crying and having uncontrollable behaviors.
14. Precious Fuller was taken to Hurley Medical Center treated and released.
15. The medication Adderrall was discontinued.
16. Precious Fuller was diagnosed with delirium secondary to medication toxicity.

17. Precious Fuller has another episode of rage like behavior and was taken to Hurley Medical Center on July 23, 2014 with the same discharge diagnosis.

18. That Dr. Williams breached her standard of care under the Federal Tort Claims Act by:

1. By prescribing medicine without making an appropriate psychiatric assessment.
2. By prescribing the wrong medicine Adderall for adults to a minor child, born 07/10/08.
3. That as result of Defendant's negligence Precious Fuller has suffered two bouts of delirium/rage like behavior due to the ingestion of Adderall and has had continued behavioral problems which are in part due to the improper ingestion of medication.

19. That at all times relevant hereto the Hamilton Clinic as an employer of Dr. Williams was subject to the Federal Tort Claims Act by the Hamilton Clinic being a federally funded and operated clinic.

**WHEREFORE**, Plaintiff, by her next of friend, demands Judgment against the Defendant, Hamilton Clinic in the Amount she is found to be entitled to in excess of \$100,000 and costs and reasonable attorney fees and whatever relief is considered just and proper.

**DEMAND FOR JURY TRIAL**

Plaintiff hereby Demands Trial by Jury.

Dated: MAY 23, 2016

Respectfully submitted,

/s/ Neal J. Wilensky  
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